

Attorney Docket No. 03-MM-06 (80343003.d25)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/777,574  
Filing Date: February 12, 2004  
First Named Inventor: Robert Harold Bateman  
Art Unit: 2881  
Examiner Name: Johnnie L. Smith  
Title: ION DETECTOR

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Response to Telephone Interview with Examiner and Filing of Terminal Disclaimer**

02/03/2005 DBELL1 Dear Sir: 00000002 230503 10777574  
01 FC:1814

130.00 DA In response to a telephone interview with Examiner Smith on or about January 24, 2005, Applicants became aware of a potential double patenting issue. The Examiner indicated to Attorney for Applicants that the Application appeared to be in condition for allowance in all respects but for such double patenting issue. The Examiner suggested that Applicants file a terminal disclaimer with respect to co-pending U. S. Patent Application 10/777,609, filed on February 12, 2004.

Enclosed for filing in the present Application, please find a terminal disclaimer to obviate a provisional double patenting rejection over a pending "reference" application (PTO/SB/25(09-04) and Statement under 37 CFR 3.73(b).

**AUTHORIZATION TO CHARGE FEE**

The Commissioner is hereby authorized to charge the Terminal Disclaimer fee in the sum of \$110.00 pursuant to 37 C.F.R. 1.20(d) to deposit account no. 23-0503. Should Applicant be mistaken in the calculation of fees the Commissioner has authorization to charge any fee deficiency required by this paper to deposit account no. 23-0503.

Applicants respectfully submit the present terminal disclaimer removes any objection of double patenting and places the present application in condition for allowance, which action is earnestly requested.

Respectfully submitted,

Reg. No. 29,809  
February 2, 2005

Anthony J. Janiuk, Esq.  
Attorney for Applicants